

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

TAG/ICIB SERVICES, INC.,

Plaintiff

v.

PIPELINERS OF PUERTO RICO, INC.,

Defendant

CIVIL NO. 09-1837 (JP)

JUDGMENT BY DEFAULT

The Court has before it Plaintiff TAG/ICIB Services, Inc.'s ("TAG/ICIB") motion for default judgment as to Defendant Pipeliners of Puerto Rico, Inc. ("Pipeliners") (**No. 5**). Plaintiff's motion is unopposed.

By way of background, Plaintiff filed the instant action in admiralty for collection of demurrage by an Ocean carrier on August 21, 2009. TAG/ICIB served Defendant Pipeliners (No. 4). Defendant never filed a responsive pleading. Accordingly, Plaintiff moved for entry of default (No. 5). The Clerk of the Court entered default against Defendant on October 19, 2009 (No. 6). In the same motion in which Plaintiff requested entry of default, Plaintiff TAG/ICIB filed a motion for default judgment. The Court noted said motion for default judgment (No. 7).

In support of its motion for default judgment, Plaintiff attached a statement under penalty of perjury by Mrs. Gladys

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Figueroa, Demurrage and Detention Manager of TAG/ICIB, alleging personal knowledge of the facts alleged in the complaint. Also, Plaintiff filed an account statement specifying the invoices owed by Defendant, thus supporting the material allegations in the complaint.

Upon consideration of Plaintiff's evidence, the Court enters the following findings of fact:

- (1) Plaintiff is owed \$64,365.00 by Defendant for demurrage charges pursuant to the applicable tariffs;
- (2) Plaintiff is owed \$22,527.75 by Defendant corresponding to a "Collection Expense Fee" of the total amount due; and
- (3) The total amount owed to Plaintiff by Defendant is **\$86,892.75** plus interest and costs.

Pursuant thereto, the Court hereby **ENTERS JUDGMENT FOR PLAINTIFF TO HAVE AND RECOVER** from Defendant Pipeliners the amount of **\$86,892.75**, plus interests and costs.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 19th day of October, 2009.

s/Jaime Pieras, Jr.
JAIME PIERAS, JR.
U.S. SENIOR DISTRICT JUDGE